United Nations S/RES/1545 (2004)

Security Council

Distr.: General
21 May 2004

Resolution 1545 (2004)

Adopted by the Security Council at its 4975th meeting, on 21 May 2004

The Security Council,

Recalling its previous resolutions as well as the statements of its President on Burundi, in particular its resolution 1375 (2001) of 29 October 2001 and the statements of its President on 18 December 2002 (S/PRST/2002/40) and 23 December 2003 (S/PRST/2003/30),

Reaffirming its strong commitment to the respect of the sovereignty, independence, territorial integrity and unity of Burundi, and *recalling* the importance of the principles of good-neighbourliness and non-interference, and of regional cooperation,

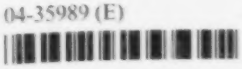
Reaffirming also its full support for the process of the Arusha Peace and Reconciliation Agreement for Burundi, signed at Arusha on 28 August 2000 (hereafter "the Arusha Agreement"), *calling on* all the Burundian parties to fully honour their commitments, and *assuring* them of its determination to support their efforts to that end,

Encouraging in particular the transitional institutions of Burundi to enact without delay the laws and regulations required for the organization of the electoral process under the Arusha Agreement, so that this process can take place before the expiration of the transitional period on 31 October 2004,

Taking note with satisfaction of the ceasefire agreements signed on 7 October 2002 by the transitional Government with Mr. Jean-Bosco Ndayikengurukiye's Forces pour la défense de la démocratie (CNDD-FDD) and Mr. Alain Mugabarabona's Forces nationales de libération (Palipehutu-FNL) as well as the comprehensive ceasefire agreement signed on 16 November 2003 in Dar-es-Salaam between the transitional Government and Mr. Pierre Nkurunziza's CNDD-FDD,

Reiterating its concern at the continuing hostilities in certain parts of the country, *underlining* that there cannot be a military solution to Burundi's problems, *urging* all the parties to observe an immediate ceasefire, and *stressing* the importance attached to Mr. Agathon Rwasa's Palipehutu-FNL, the last armed movement that has still not done so, in participating in the peace process of the Arusha Agreement,

04-35989 (E)



Taking note in this regard of the talks which were started between the President of the Republic of Burundi, Mr. Domitien Ndayizeyé, and this armed movement at the meeting of 18 to 21 January 2004, at Oisterwijk in the Netherlands, as well as the congress held in Kigoma, Tanzania, from 18 to 21 April 2004, by Mr. Rwasa's Palipehutu-FNL, and *urging* the latter to conclude an agreement with the transitional Government without delay with a view to a complete cessation of hostilities and its participation in the transitional institutions,

Condemning all acts of violence, as well as human rights and international humanitarian law violations, and *particularly concerned* by the increasing incidents of rapes, including mass rapes,

Reaffirming its determination to support the efforts of Burundians to bring the perpetrators of such acts and violations to justice on the basis of the rule of law, in order to put an end to situations of impunity, and *calling upon* the parties and transitional authorities to take without delay all necessary measures to that end,

Expressing its concern at the tragic humanitarian situation of a large majority of the Burundian population, *recalling* that all the parties are responsible for the security of the civilian populations, and *recalling in particular* in this regard its resolutions 1325 (2000) on women, peace and security, 1379 (2001), 1460 (2003) and 1539 (2004) on children in armed conflict, and 1265 (1999) and 1296 (2000) on the protection of civilians in armed conflict,

Taking note of the progress achieved in preparing the disarmament, demobilization and reintegration programme for the combatants, *calling on* the parties to firmly commit themselves to that programme without delay, and *encouraging* the international financial institutions and donors to support the programme,

Expressing its concern at the deteriorating economic situation in Burundi in the context of the conflict, and *recognizing* that any improvement in security should be matched by tangible economic and social benefits for the population,

Considering that the voluntary and sustainable return of refugees and internally displaced persons will be a critical factor for the consolidation of the peace process, and will require a just solution of the issue of land ownership,

Welcoming the conclusions of the Forum of Development Partners for Burundi, which was held in Brussels on 13 and 14 January 2004, and *calling on* donors to honour their pledges,

Paying tribute to the efforts made by the African Union as well as by the States who are members of the Regional Initiative, especially Uganda and the United Republic of Tanzania, and the Facilitation, in particular South Africa, to bring peace to Burundi, and *encouraging* the African Union to maintain a strong presence in Burundi to accompany the efforts of the Burundian parties, as specified in the Arusha Agreement and subsequent agreements,

Welcoming the efforts of the African Mission in Burundi (AMIB) and the contingents from South Africa, Ethiopia and Mozambique which make it up, as well as the Member States which have assisted AMIB in its deployment,

Encouraging the efforts being undertaken to train a joint Burundian protection unit to ensure continuing security of the leaders of the transitional institutions, and *underlining* the need for this unit to be operational as soon as possible,

Taking note of the statements made before the Council by the President of the Republic of Burundi on 22 September 2003, and by the Deputy President of the Republic of South Africa, Mr. Jacob Zuma, on 4 December 2003, in favour of transforming AMIB into a United Nations peacekeeping operation, and *taking note also* in that regard of the letter dated 15 March 2004 addressed by Mr. Thérence Sinunguruza, Minister of External Relations and Cooperation of Burundi, to the President of the Security Council (S/2004/208), as well as the letter dated 17 March 2004 addressed by the Chairperson of the Commission of the African Union, Mr. Alpha Omar Konaré, to the Secretary-General,

Aware of the difficulty of sustaining stability in Burundi unless peace is restored beyond its borders, in particular in the Democratic Republic of the Congo, and *underlining* how important it is for all the States concerned, especially those of the region, to cooperate towards that end, and for the United Nations to coordinate its efforts in the two countries,

Having considered the report of the Secretary-General on Burundi dated 16 March 2004 (S/2004/210),

Welcoming with satisfaction and encouraging the efforts of the United Nations Organization to enhance the awareness of peacekeeping personnel on the need to prevent and combat HIV/AIDS and other communicable diseases,

Noting that obstacles remain to Burundi's stability, and *determining* that the situation in this country continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Welcomes* the recommendations contained in the report of the Secretary-General on Burundi dated 16 March 2004;

2. *Decides* to authorize, for an initial period of six months as from 1 June 2004, with the intention to renew it for further periods, the deployment of a peacekeeping operation in Burundi entitled United Nations Operation in Burundi (the acronym ONUB being used in all languages), pursuant to the mandate specified in paragraphs 5 to 7 hereafter, in order to support and help to implement the efforts undertaken by Burundians to restore lasting peace and bring about national reconciliation, as provided under the Arusha Agreement;

3. *Decides* that ONUB will be headed by the Special Representative of the Secretary-General, who chairs the Implementation Monitoring Committee for the Arusha Agreement, and will initially be composed of existing AMIB forces, and *requests therefore* the Secretary-General, acting in liaison with the African Union, to ensure the transfer of authority over AMIB, within ONUB's framework, to his Special Representative for Burundi;

4. *Decides further* that ONUB shall consist of a maximum of 5,650 military personnel, including 200 observers and 125 staff officers, up to 120 civilian police personnel, as well as the appropriate civilian personnel;

5. *Authorizes* ONUB to use all necessary means to carry out the following mandate, within its capacity and in the areas where its armed units are deployed, and in coordination with humanitarian and development communities:

- to ensure the respect of ceasefire agreements, through monitoring their implementation and investigating their violations,
- to promote the re-establishment of confidence between the Burundian forces present, monitor and provide security at their pre-disarmament assembly sites, collect and secure weapons and military materiel to dispose of it as appropriate, and contribute to the dismantling of militias as called for in the ceasefire agreements,
- to carry out the disarmament and demobilization portions of the national programme of disarmament, demobilization and reintegration of combatants,
- to monitor the quartering of the Armed Forces of Burundi and their heavy weapons, as well as the disarmament and demobilization of the elements that need to be disarmed and demobilized,
- to monitor, to the extent possible, the illegal flow of arms across the national borders, including Lake Tanganyika, in cooperation with the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) and, as appropriate, with the group of experts referred to in paragraph 10 of resolution 1533,
- to contribute to the creation of the necessary security conditions for the provision of humanitarian assistance, and facilitate the voluntary return of refugees and internally displaced persons,
- to contribute to the successful completion of the electoral process stipulated in the Arusha Agreement, by ensuring a secure environment for free, transparent and peaceful elections to take place,
- without prejudice to the responsibility of the transitional Government of Burundi, to protect civilians under imminent threat of physical violence,
- to ensure the protection of United Nations personnel, facilities, installations and equipment, as well as the security and freedom of movement of ONUB's personnel, and to coordinate and conduct, as appropriate, mine action activities in support of its mandate;

6. *Decides* that ONUB shall provide advice and assistance, within its capacity and subject to carrying out tasks stipulated in paragraph 5 above, to the transitional Government and authorities to contribute to their efforts:

- to monitor Burundi's borders, with special attention to refugees, as well as to movements of combatants, especially in the Cibitoké province,
- to carry out institutional reforms as well as the constitution of the integrated national defence and internal security forces and, in particular, the training and monitoring of the police, while ensuring that they are democratic and fully respect human rights and fundamental freedoms,
- to proceed with electoral activities,

– to complete implementation of the reform of the judiciary and correction system, in accordance with the Arusha Agreement,

– to ensure, in close liaison with the Office of the High Commissioner for Human Rights, the promotion and protection of human rights, with particular attention to women, children and vulnerable persons, and investigate human rights violations to put an end to impunity;

7. *Decides further* that ONUB shall cooperate with the Government and authorities of Burundi, as well as their international partners, to ensure the coherence of their work, in assistance to the Government and authorities of Burundi in:

– extending State authority and utilities throughout the territory, including civilian police and judicial institutions,

– carrying out the national programme of disarmament, demobilization and reintegration of combatants and members of their families, including those coming from the territory of the Democratic Republic of the Congo, in liaison with the Government of this country and MONUC, and with particular attention to the specific needs of women and children;

8. *Requests* the Secretary-General, through his Special Representative for Burundi, to conduct all the activities of the United Nations system in Burundi and to facilitate the coordination with other national, regional and international actors, in particular the African Union, of activities in support of the transition process, while ensuring that ONUB's personnel give special attention to issues related to gender equality, as well as to the specific needs of children;

9. *Requests further* the Secretary-General to conclude agreements with States neighbouring Burundi to enable ONUB forces to cross their respective borders in pursuit of armed combatants, as may be necessary while carrying out their mandate;

10. *Requests* the transitional Government of Burundi to conclude a status-of-forces agreement for ONUB with the Secretary-General within thirty days of the adoption of this resolution, taking into consideration General Assembly resolution 58/82 on the scope of legal protections under the Convention on the Safety of United Nations and Associated Personnel, and *notes* that, pending the conclusion of such an agreement, the model status-of-forces agreement for peacekeeping operations of 9 October 1990 (A/45/594) shall apply provisionally;

11. *Requests* all parties to cooperate fully with the deployment and operations of ONUB, in particular by ensuring the safety and freedom of movement of United Nations and associated personnel, as well as the personnel of humanitarian, development and aid organizations, throughout the territory of Burundi;

12. *Recalling* its resolution 1502 of 26 August 2003, reaffirms the obligation of all parties to comply fully with the rules and principles of international humanitarian law applicable to them related to the protection of humanitarian and United Nations personnel, and also urges all those concerned to allow full unimpeded access by humanitarian personnel to all people in need of assistance as set forth in applicable international humanitarian law;

13. *Requests* all parties and concerned States to facilitate the voluntary, safe and sustainable return of refugees and internally displaced persons, and to cooperate fully to this end with ONUB and the relevant international organizations;

14. *Underlines* the need for ONUB to have at its disposal an effective public information capacity, including through local and national radio, television and newspaper channels, to promote understanding of the peace process and the role of ONUB among local communities and the parties;

15. *Stresses* the importance of the full and unconditional implementation of the Arusha Agreement, and *demands* that all parties fulfil their obligations under this agreement, in order to allow the electoral process, in particular the legislative elections, to take place before 31 October 2004;

16. *Reaffirms* the need for all parties to complete in a timely manner the execution of the programme for regrouping and cantonment of combatants, and to begin implementing as soon as possible the programme to dismantle all armed groups, including the militias, and the disarmament, demobilization and reintegration programme, giving particular attention to the specific need of women and children, and to proceed as well in parallel with the restructuring of the armed forces and the internal security forces;

17. *Reaffirms also* the continued need to promote peace and national reconciliation and to foster accountability and respect for human rights in Burundi, and urges the Government of Burundi, specialized agencies, other multilateral organizations, civil society and Member States to accelerate their efforts to establish the Truth and Reconciliation Commission, as provided for in the Arusha Agreement;

18. *Expresses its deep concern* over the illicit flow of arms provided to armed groups and movements, in particular those which are not parties to the peace process under the Arusha Agreement, *calls upon* all States to halt such flow without prejudice to the Burundian national army and police forces whose integration is in progress, and *expresses* its intention to consider this issue further as soon as possible after the deployment of ONUB;

19. *Urges* the international financial institutions and the donor community to continue to contribute to the economic development of Burundi, in particular for the long term, including through the realization of pledges already made, to enable that country to achieve sustainable stability, and in order also to contribute to the wider stability of the region;

20. *Requests* the Secretary-General to ensure that his Special Representatives for Burundi and for the Democratic Republic of the Congo coordinate the activities of ONUB and MONUC, share military information at their disposal, in particular concerning cross-border movements of armed elements and arms trafficking, and pool their logistic and administrative resources, to an extent that does not affect the ability to carry out their respective mandates, in order to maximize efficiency and cost-effectiveness;

21. *Decides* that ONUB shall carry out its mandate in close cooperation with MONUC, in particular concerning monitoring and prevention of movements of combatants across the border between Burundi and the Democratic Republic of the Congo, as well as the implementation of the disarmament and demobilization programmes;

22. *Requests* the Secretary-General to keep it informed on a regular basis of developments in the situation in Burundi, the implementation of the Arusha Agreement and the execution of ONUB's mandate and to submit a report on these developments every three months, including an evaluation of the strength of the military component, with a view to its adjusted reduction, taking account of the progress made on the ground and the tasks remaining to be accomplished;

23. *Decides* to remain actively seized of the matter.

United Nations S/RES/1546 (2004)

Security Council

Distr.: General
8 June 2004

Resolution 1546 (2004)

Adopted by the Security Council at its 4987th meeting, on 8 June 2004

The Security Council,

Welcoming the beginning of a new phase in Iraq's transition to a democratically elected government, and *looking forward* to the end of the occupation and the assumption of full responsibility and authority by a fully sovereign and independent Interim Government of Iraq by 30 June 2004,

Recalling all of its previous relevant resolutions on Iraq,

Reaffirming the independence, sovereignty, unity, and territorial integrity of Iraq,

Reaffirming also the right of the Iraqi people freely to determine their own political future and control their own natural resources,

Recognizing the importance of international support, particularly that of countries in the region, Iraq's neighbours, and regional organizations, for the people of Iraq in their efforts to achieve security and prosperity, and *noting* that the successful implementation of this resolution will contribute to regional stability,

Welcoming the efforts of the Special Adviser to the Secretary-General to assist the people of Iraq in achieving the formation of the Interim Government of Iraq, as set out in the letter of the Secretary-General of 7 June 2004 (S/2004/461),

Taking note of the dissolution of the Governing Council of Iraq, and *welcoming* the progress made in implementing the arrangements for Iraq's political transition referred to in resolution 1511 (2003) of 16 October 2003,

Welcoming the commitment of the Interim Government of Iraq to work towards a federal, democratic, pluralist, and unified Iraq, in which there is full respect for political and human rights,

Stressing the need for all parties to respect and protect Iraq's archaeological, historical, cultural, and religious heritage,

Affirming the importance of the rule of law, national reconciliation, respect for human rights including the rights of women, fundamental freedoms, and democracy including free and fair elections,

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Recalling the establishment of the United Nations Assistance Mission for Iraq (UNAMI) on 14 August 2003, and *affirming* that the United Nations should play a leading role in assisting the Iraqi people and government in the formation of institutions for representative government,

Recognizing that international support for restoration of stability and security is essential to the well-being of the people of Iraq as well as to the ability of all concerned to carry out their work on behalf of the people of Iraq, and *welcoming* Member State contributions in this regard under resolution 1483 (2003) of 22 May 2003 and resolution 1511 (2003),

Recalling the report provided by the United States to the Security Council on 16 April 2004 on the efforts and progress made by the multinational force,

Recognizing the request conveyed in the letter of 5 June 2004 from the Prime Minister of the Interim Government of Iraq to the President of the Council, which is annexed to this resolution, to retain the presence of the multinational force,

Recognizing also the importance of the consent of the sovereign Government of Iraq for the presence of the multinational force and of close coordination between the multinational force and that government,

Welcoming the willingness of the multinational force to continue efforts to contribute to the maintenance of security and stability in Iraq in support of the political transition, especially for upcoming elections, and to provide security for the United Nations presence in Iraq, as described in the letter of 5 June 2004 from the United States Secretary of State to the President of the Council, which is annexed to this resolution,

Noting the commitment of all forces promoting the maintenance of security and stability in Iraq to act in accordance with international law, including obligations under international humanitarian law, and to cooperate with relevant international organizations,

Affirming the importance of international assistance in reconstruction and development of the Iraqi economy,

Recognizing the benefits to Iraq of the immunities and privileges enjoyed by Iraqi oil revenues and by the Development Fund for Iraq, and *noting* the importance of providing for continued disbursements of this fund by the Interim Government of Iraq and its successors upon dissolution of the Coalition Provisional Authority,

Determining that the situation in Iraq continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Endorses* the formation of a sovereign Interim Government of Iraq, as presented on 1 June 2004, which will assume full responsibility and authority by 30 June 2004 for governing Iraq while refraining from taking any actions affecting Iraq's destiny beyond the limited interim period until an elected Transitional Government of Iraq assumes office as envisaged in paragraph four below;

2. *Welcomes* that, also by 30 June 2004, the occupation will end and the Coalition Provisional Authority will cease to exist, and that Iraq will reassert its full sovereignty;

3. *Reaffirms* the right of the Iraqi people freely to determine their own political future and to exercise full authority and control over their financial and natural resources;

4. *Endorses* the proposed timetable for Iraq's political transition to democratic government including:

(a) formation of the sovereign Interim Government of Iraq that will assume governing responsibility and authority by 30 June 2004;

(b) convening of a national conference reflecting the diversity of Iraqi society; and

(c) holding of direct democratic elections by 31 December 2004 if possible, and in no case later than 31 January 2005, to a Transitional National Assembly, which will, inter alia, have responsibility for forming a Transitional Government of Iraq and drafting a permanent constitution for Iraq leading to a constitutionally elected government by 31 December 2005;

5. *Invites* the Government of Iraq to consider how the convening of an international meeting could support the above process, and *notes* that it would welcome such a meeting to support the Iraqi political transition and Iraqi recovery, to the benefit of the Iraqi people and in the interest of stability in the region;

6. *Calls on* all Iraqis to implement these arrangements peaceably and in full, and on all States and relevant organizations to support such implementation;

7. *Decides* that in implementing, as circumstances permit, their mandate to assist the Iraqi people and government, the Special Representative of the Secretary-General and the United Nations Assistance Mission for Iraq (UNAMI), as requested by the Government of Iraq, shall:

(a) play a leading role to:

(i) assist in the convening, during the month of July 2004, of a national conference to select a Consultative Council;

(ii) advise and support the Independent Electoral Commission of Iraq, as well as the Interim Government of Iraq and the Transitional National Assembly, on the process for holding elections;

(iii) promote national dialogue and consensus-building on the drafting of a national constitution by the people of Iraq;

(b) and also:

(i) advise the Government of Iraq in the development of effective civil and social services;

(ii) contribute to the coordination and delivery of reconstruction, development, and humanitarian assistance;

(iii) promote the protection of human rights, national reconciliation, and judicial and legal reform in order to strengthen the rule of law in Iraq; and

(iv) advise and assist the Government of Iraq on initial planning for the eventual conduct of a comprehensive census;

8. *Welcomes* ongoing efforts by the incoming Interim Government of Iraq to develop Iraqi security forces including the Iraqi armed forces (hereinafter referred to as "Iraqi security forces"), operating under the authority of the Interim Government of Iraq and its successors, which will progressively play a greater role and ultimately assume full responsibility for the maintenance of security and stability in Iraq;

9. *Notes* that the presence of the multinational force in Iraq is at the request of the incoming Interim Government of Iraq and therefore *reaffirms* the authorization for the multinational force under unified command established under resolution 1511 (2003), having regard to the letters annexed to this resolution;

10. *Decides* that the multinational force shall have the authority to take all necessary measures to contribute to the maintenance of security and stability in Iraq in accordance with the letters annexed to this resolution expressing, inter alia, the Iraqi request for the continued presence of the multinational force and setting out its tasks, including by preventing and deterring terrorism, so that, inter alia, the United Nations can fulfil its role in assisting the Iraqi people as outlined in paragraph seven above and the Iraqi people can implement freely and without intimidation the timetable and programme for the political process and benefit from reconstruction and rehabilitation activities;

11. *Welcomes*, in this regard, the letters annexed to this resolution stating, inter alia, that arrangements are being put in place to establish a security partnership between the sovereign Government of Iraq and the multinational force and to ensure coordination between the two, and *notes also* in this regard that Iraqi security forces are responsible to appropriate Iraqi ministers, that the Government of Iraq has authority to commit Iraqi security forces to the multinational force to engage in operations with it, and that the security structures described in the letters will serve as the fora for the Government of Iraq and the multinational force to reach agreement on the full range of fundamental security and policy issues, including policy on sensitive offensive operations, and will ensure full partnership between Iraqi security forces and the multinational force, through close coordination and consultation;

12. *Decides further* that the mandate for the multinational force shall be reviewed at the request of the Government of Iraq or twelve months from the date of this resolution, and that this mandate shall expire upon the completion of the political process set out in paragraph four above, and *declares* that it will terminate this mandate earlier if requested by the Government of Iraq;

13. *Notes* the intention, set out in the annexed letter from the United States Secretary of State, to create a distinct entity under unified command of the multinational force with a dedicated mission to provide security for the United Nations presence in Iraq, *recognizes* that the implementation of measures to provide security for staff members of the United Nations system working in Iraq would require significant resources, and *calls upon* Member States and relevant organizations to provide such resources, including contributions to that entity;

14. *Recognizes* that the multinational force will also assist in building the capability of the Iraqi security forces and institutions, through a programme of recruitment, training, equipping, mentoring, and monitoring;

15. *Requests* Member States and international and regional organizations to contribute assistance to the multinational force, including military forces, as agreed with the Government of Iraq, to help meet the needs of the Iraqi people for security and stability, humanitarian and reconstruction assistance, and to support the efforts of UNAMI;

16. *Emphasizes* the importance of developing effective Iraqi police, border enforcement, and the Facilities Protection Service, under the control of the Interior Ministry of Iraq, and, in the case of the Facilities Protection Service, other Iraqi ministries, for the maintenance of law, order, and security, including combating terrorism, and *requests* Member States and international organizations to assist the Government of Iraq in building the capability of these Iraqi institutions;

17. *Condemns* all acts of terrorism in Iraq, *reaffirms* the obligations of Member States under resolutions 1373 (2001) of 28 September 2001, 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000, 1390 (2002) of 16 January 2002, 1455 (2003) of 17 January 2003, and 1526 (2004) of 30 January 2004, and other relevant international obligations with respect, inter alia, to terrorist activities in and from Iraq or against its citizens, and specifically *reiterates* its call upon Member States to prevent the transit of terrorists to and from Iraq, arms for terrorists, and financing that would support terrorists, and *re-emphasizes* the importance of strengthening the cooperation of the countries of the region, particularly neighbours of Iraq, in this regard;

18. *Recognizes* that the Interim Government of Iraq will assume the primary role in coordinating international assistance to Iraq;

19. *Welcomes* efforts by Member States and international organizations to respond in support of requests by the Interim Government of Iraq to provide technical and expert assistance while Iraq is rebuilding administrative capacity;

20. *Reiterates* its request that Member States, international financial institutions and other organizations strengthen their efforts to assist the people of Iraq in the reconstruction and development of the Iraqi economy, including by providing international experts and necessary resources through a coordinated programme of donor assistance;

21. *Decides* that the prohibitions related to the sale or supply to Iraq of arms and related materiel under previous resolutions shall not apply to arms or related materiel required by the Government of Iraq or the multinational force to serve the purposes of this resolution, *stresses* the importance for all States to abide strictly by them, and *notes* the significance of Iraq's neighbours in this regard, and *calls upon* the Government of Iraq and the multinational force each to ensure that appropriate implementation procedures are in place;

22. *Notes* that nothing in the preceding paragraph affects the prohibitions on or obligations of States related to items specified in paragraphs 8 and 12 of resolution 687 (1991) of 3 April 1991 or activities described in paragraph 3 (f) of resolution 707 (1991) of 15 August 1991, and *reaffirms* its intention to revisit the mandates of the United Nations Monitoring, Verification, and Inspection Commission and the International Atomic Energy Agency;

23. *Calls on* Member States and international organizations to respond to Iraqi requests to assist Iraqi efforts to integrate Iraqi veterans and former militia members into Iraqi society;

24. *Notes* that, upon dissolution of the Coalition Provisional Authority, the funds in the Development Fund for Iraq shall be disbursed solely at the direction of the Government of Iraq, and *decides* that the Development Fund for Iraq shall be utilized in a transparent and equitable manner and through the Iraqi budget including to satisfy outstanding obligations against the Development Fund for Iraq, that the arrangements for the depositing of proceeds from export sales of petroleum, petroleum products, and natural gas established in paragraph 20 of resolution 1483 (2003) shall continue to apply, that the International Advisory and Monitoring Board shall continue its activities in monitoring the Development Fund for Iraq and shall include as an additional full voting member a duly qualified individual designated by the Government of Iraq and that appropriate arrangements shall be made for the continuation of deposits of the proceeds referred to in paragraph 21 of resolution 1483 (2003);

25. *Decides further* that the provisions in the above paragraph for the deposit of proceeds into the Development Fund for Iraq and for the role of the IAMB shall be reviewed at the request of the Transitional Government of Iraq or twelve months from the date of this resolution, and shall expire upon the completion of the political process set out in paragraph four above;

26. *Decides* that, in connection with the dissolution of the Coalition Provisional Authority, the Interim Government of Iraq and its successors shall assume the rights, responsibilities and obligations relating to the Oil-for-Food Programme that were transferred to the Authority, including all operational responsibility for the Programme and any obligations undertaken by the Authority in connection with such responsibility, and responsibility for ensuring independently authenticated confirmation that goods have been delivered, and *further decides* that, following a 120-day transition period from the date of adoption of this resolution, the Interim Government of Iraq and its successors shall assume responsibility for certifying delivery of goods under previously prioritized contracts, and that such certification shall be deemed to constitute the independent authentication required for the release of funds associated with such contracts, consulting as appropriate to ensure the smooth implementation of these arrangements;

27. *Further decides* that the provisions of paragraph 22 of resolution 1483 (2003) shall continue to apply, except that the privileges and immunities provided in that paragraph shall not apply with respect to any final judgement arising out of a contractual obligation entered into by Iraq after 30 June 2004;

28. *Welcomes* the commitments of many creditors, including those of the Paris Club, to identify ways to reduce substantially Iraq's sovereign debt, *calls on* Member States, as well as international and regional organizations, to support the Iraq reconstruction effort, *urges* the international financial institutions and bilateral donors to take the immediate steps necessary to provide their full range of loans and other financial assistance and arrangements to Iraq, *recognizes* that the Interim Government of Iraq will have the authority to conclude and implement such agreements and other arrangements as may be necessary in this regard, and *requests* creditors, institutions and donors to work as a priority on these matters with the Interim Government of Iraq and its successors;

29. *Recalls* the continuing obligations of Member States to freeze and transfer certain funds, assets, and economic resources to the Development Fund for Iraq in accordance with paragraphs 19 and 23 of resolution 1483 (2003) and with resolution 1518 (2003) of 24 November 2003;

30. *Requests* the Secretary-General to report to the Council within three months from the date of this resolution on UNAMI operations in Iraq, and on a quarterly basis thereafter on the progress made towards national elections and fulfilment of all UNAMI's responsibilities;

31. *Requests* that the United States, on behalf of the multinational force, report to the Council within three months from the date of this resolution on the efforts and progress of this force, and on a quarterly basis thereafter;

32. *Decides* to remain actively seized of the matter.

Annex

Text of letters from the Prime Minister of the Interim Government of Iraq Dr. Ayad Allawi and United States Secretary of State Colin L. Powell to the President of the Council

5 June 2004

Republic of Iraq
Prime Minister Office

Excellency:

On my appointment as Prime Minister of the Interim Government of Iraq, I am writing to express the commitment of the people of Iraq to complete the political transition process to establish a free, and democratic Iraq and to be a partner in preventing and combating terrorism. As we enter a critical new stage, regain full sovereignty and move towards elections, we will need the assistance of the international community.

The Interim Government of Iraq will make every effort to ensure that these elections are fully democratic, free and fair. Security and stability continue to be essential to our political transition. There continue, however, to be forces in Iraq, including foreign elements, that are opposed to our transition to peace, democracy, and security. The Government is determined to overcome these forces, and to develop security forces capable of providing adequate security for the Iraqi people. Until we are able to provide security for ourselves, including the defence of Iraq's land, sea and air space, we ask for the support of the Security Council and the international community in this endeavour. We seek a new resolution on the Multinational Force (MNF) mandate to contribute to maintaining security in Iraq, including through the tasks and arrangements set out in the letter from Secretary of State Colin Powell to the President of the United Nations Security Council. The Government requests that the Security Council review the mandate of the MNF at the request of the Transitional Government of Iraq, or twelve months from the date on which such a resolution is adopted.

In order to discharge the Iraqi Government's responsibility for security, I intend to establish appropriate security structures that will allow my Government and Iraqi security forces to progressively take on that responsibility. One such structure is the Ministerial Committee for National Security, consisting of myself as the Chair, the Deputy Prime Minister, and the Minister of Defense, Interior, Foreign Affairs, Justice, and Finance. The National Security Advisor, and Director of the Iraqi National Intelligence Service will serve as permanent advisory members of the committee. This forum will set the broad framework for Iraqi security policy. I intend to invite, as appropriate, the MNF commander, his Deputy, or the MNF

His Excellency
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President of the Security Council
United Nations
New York, New York

Commander's designative representative, and other appropriate individuals, to attend and participate as well, and will stand ready to discuss mechanisms of coordination and cooperation with the MNF. Iraqi armed forces will be responsible to the Chief of Staff and Minister of Defense. Other security forces (the Iraqi police, border guards and Facilities Protection Service) will be responsible to the Minister of the Interior or other government ministers.

In addition, the relevant ministers and I will develop further mechanisms for coordination with the MNF. Intend to create with the MNF coordination bodies at national, regional, and local levels, that will include Iraqi security forces commanders and civilian leadership, to ensure that Iraqi security forces will coordinate with the MNF on all security policy and operations issues in order to achieve unity of command of military operations in which Iraqi forces are engaged with MNF. In addition, the MNF and Iraqi government leaders will keep each other informed of their activities, consult regularly to ensure effective allocation and use of personnel, resources and facilities, will share intelligence, and will refer issues up the respective chains of command where necessary, Iraqi security forces will take on progressively greater responsibility as Iraqi capabilities improve.

The structures I have described in this letter will serve as the fora for the MNF and the Iraqi government to reach agreement on the full range of fundamental security and policy issues, including policy on sensitive offensive operations, and will ensure full partnership between Iraqi forces and the MNF, through close coordination and consultation. Since these are sensitive issues for a number of sovereign governments, including Iraq and the United States, they need to be resolved in the framework of a mutual understanding on our strategic partnership. We will be working closely with the MNF leadership in the coming weeks to ensure that we have such an agreed strategic framework.

We are ready to take sovereign responsibility for governing Iraq by June 30. We are well aware of the difficulties facing us, and of our responsibilities to the Iraqi people. The stakes are great, and we need the support of the international community to succeed. We ask the Security Council to help us by acting now to adopt a Security Council resolution giving us necessary support.

I understand that the Co-sponsors intend to annex this letter to the resolution on Iraq under consideration. In the meantime, I request that you provide copies of this letter to members of the Council as quickly as possible.

(*Signed*) Dr. Ayad **Allawi**

The Secretary of State
Washington

5 June 2004

Excellency:

Recognizing the request of the government of Iraq for the continued presence of the Multi-National Force (MNF) in Iraq, and following consultations with Prime Minister Ayad Allawi of the Iraqi Interim Government, I am writing to confirm that the MNF under unified command is prepared to continue to contribute to the maintenance of security in Iraq, including by preventing and deterring terrorism and protecting the territory of Iraq. The goal of the MNF will be to help the Iraqi people to complete the political transition and will permit the United Nations and the international community to work to facilitate Iraq's reconstruction.

The ability of the Iraqi people to achieve their goals will be heavily influenced by the security situation in Iraq. As recent events have demonstrated, continuing attacks by insurgents, including former regime elements, foreign fighters, and illegal militias challenge all those who are working for a better Iraq.

Development of an effective and cooperative security partnership between the MNF and the sovereign Government of Iraq is critical to the stability of Iraq. The commander of the MNF will work in partnership with the sovereign Government of Iraq in helping to provide security while recognizing and respecting its sovereignty. To that end, the MNF stands ready to participate in discussions of the Ministerial Committee for National Security on the broad framework of security policy, as referred to in the letter from Prime Minister of the Interim Government of Iraq Allawi dated June 5, 2004. On the implementation of this policy, recognizing that Iraqi security forces are responsible to the appropriate Iraqi ministers, the MNF will coordinate with Iraqi security forces at all levels — national, regional, and local — in order to achieve unity of command of military operations in which Iraqi forces are engaged with the MNF. In addition, the MNF and the Iraqi government leaders will keep each other informed of their activities, consult regularly to ensure effective allocation and use of personnel, resources, and facilities, will share intelligence, and will refer issues up the respective chains of command where necessary. We will work in the fora described by Prime Minister Allawi in his June 5 letter to reach agreement on the full range of fundamental security and policy issues, including policy on sensitive offensive operations, and will ensure full partnership between MNF and Iraqi forces, through close coordination and consultation.

His Excellency
Mr. Lauro L. Baja, Jr.
President of the Security Council
United Nations
New York, New York

Under the agreed arrangement, the MNF stands ready to continue to undertake a broad range of tasks to contribute to the maintenance of security and to ensure force protection. These include activities necessary to counter ongoing security threats posed by forces seeking to influence Iraq's political future through violence. This will include combat operations against members of these groups, internment where this is necessary for imperative reasons of security, and the continued search for and securing of weapons that threaten Iraq's security. A further objective will be to train and equip Iraqi security forces that will increasingly take responsibility for maintaining Iraq's security. The MNF also stands ready as needed to participate in the provision of humanitarian assistance, civil affairs support, and relief and reconstruction assistance requested by the Iraqi Interim Government and in line with previous Security Council Resolutions.

In addition, the MNF is prepared to establish or support a force within the MNF to provide for the security of personnel and facilities of the United Nations. We have consulted closely with UN officials regarding the United Nations' security requirements and believe that a brigade-size force will be needed to support the United Nations' security effort. This force will be under the command and control of the MNF commander, and its missions will include static and perimeter security at UN facilities, and convoy escort duties for the UN mission's travel requirements.

In order to continue to contribute to security, the MNF must continue to function under a framework that affords the force and its personnel the status that they need to accomplish their mission, and in which the contributing states have responsibility for exercising jurisdiction over their personnel and which will ensure arrangements for, and use of assets by, the MNF. The existing framework governing these matters is sufficient for these purposes. In addition, the forces that make up the MNF are and will remain committed at all times to act consistently with their obligations under the law of armed conflict, including the Geneva Conventions.

The MNF is prepared to continue to pursue its current efforts to assist in providing a secure environment in which the broader international community is able to fulfil its important role in facilitating Iraq's reconstruction. In meeting these responsibilities in the period ahead, we will act in full recognition of and respect for Iraqi sovereignty. We look to other member states and international and regional organizations to assist the people of Iraq and the sovereign Iraqi government in overcoming the challenges that lie ahead to build a democratic, secure and prosperous country.

The co-sponsors intend to annex this letter to the resolution on Iraq under consideration. In the meantime, I request that you provide copies of this letter to members of the Council as quickly as possible.

Sincerely,
(*Signed*) Colin L. **Powell**

United Nations S/RES/1547 (2004)

Security Council

Distr.: General
11 June 2004

Resolution 1547 (2004)

Adopted by the Security Council at its 4988th meeting, on 11 June 2004

The Security Council,

Welcoming the signature of the Declaration on 5 June 2004 in Nairobi, Kenya, in which the parties confirmed their agreement to the six protocols signed between the Government of Sudan and the Sudan People's Liberation Movement/Army (SPLM/A), and reconfirmed their commitment to completing the remaining stages of negotiations,

Commending the work, and continued support of the Intergovernmental Authority on Development (IGAD), in particular the Government of Kenya as Chair of the Subcommittee on Sudan, in facilitating the peace talks, and recognizing the efforts of the Civilian Protection Monitoring Team, the Joint Military Commission in the Nuba Mountains and the Verification and Monitoring Team supporting the peace process, and *expressing* its hope that IGAD will continue to play a vital role during the transitional period,

Reaffirming its support for the Machakos Protocol of 20 July 2002 and subsequent agreements based on this Protocol,

Reaffirming its commitment to the sovereignty, independence and unity of Sudan,

Recalling the statements by its President (S/PRST/2003/16) of 10 October 2003 and (S/PRST/2004/18) of 25 May 2004,

Condemning all acts of violence and violations of human rights and international humanitarian law by all parties and *expressing* its utmost concern at the consequences of the prolonged conflict for the civilian population of Sudan, including women, children, refugees and internally displaced persons,

Urging the two parties involved to conclude speedily a Comprehensive Peace Agreement and *believing* that the progress now being made in the Naivasha Process will contribute to improved stability and peace in Sudan,

Welcoming the Secretary-General's report (S/2004/453) of 7 June 2004,

1. *Welcomes* the Secretary-General's proposal to establish, for an initial period of three months and under the authority of an SRSG, a United Nations advance team in Sudan as a special political mission, dedicated to preparation of the

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international monitoring foreseen in the 25 September 2003 Naivasha Agreement on Security Arrangements, to facilitate contacts with the parties concerned and to prepare for the introduction of a peace support operation following the signing of a Comprehensive Peace Agreement;

2. *Endorses* the Secretary-General's proposals for the staffing of the advance team and *requests* in this regard the Secretary-General to conclude all necessary agreements with the Government of Sudan as expeditiously as possible;

3. *Declares* its readiness to consider establishing a United Nations peace support operation to support the implementation of a Comprehensive Peace Agreement, and *requests* the Secretary-General to submit to the Council recommendations for the size, structure, and mandate of this operation, as soon as possible after the signing of a Comprehensive Peace Agreement;

4. *Requests* the Secretary-General, pending signature of a Comprehensive Peace Agreement to take the necessary preparatory steps, including, in particular, pre-positioning the most critical logistical and personnel requirements to facilitate the rapid deployment of the above-mentioned possible operation principally to assist the parties in monitoring and verifying compliance with the terms of a Comprehensive Peace Agreement as well as to prepare for the Organization's role during the transitional period in Sudan;

5. *Underlines* the need for an effective public information capacity, including through local and national radio, television and newspaper channels, to promote understanding of the peace process and the role a United Nations peace support operation will play among local communities and the parties;

6. *Endorses* the conclusions of the Secretary-General with regard to the situation in Sudan, in particular Darfur and the Upper Nile set out in paragraph 22 of his report, *calls* upon the parties to use their influence to bring an immediate halt to the fighting in the Darfur region, in the Upper Nile and elsewhere, *urges* the parties to the Ndjamena Ceasefire Agreement of 8 April 2004 to conclude a political agreement without delay, *welcomes* African Union efforts to that end, and *calls* on the international community to be prepared for constant engagement including extensive funding in support of peace in Sudan;

7. *Requests* the Secretary-General to keep it informed of developments in Sudan, particularly on the Naivasha negotiation process, the implementation of the peace process and the execution by the advance team of its mandate, and to submit a report to the Council no later than three months after adoption of this resolution;

8. *Decides* to remain seized of the matter.

United Nations S/RES/1548 (2004)

Security Council

Distr.: General
11 June 2004

Resolution 1548 (2004)

Adopted by the Security Council at its 4989th meeting, on 11 June 2004

The Security Council,

Welcoming the report of the Secretary-General of 26 May 2004 (S/2004/427) on the United Nations operation in Cyprus, and in particular the call to the parties to assess and address the humanitarian issue of missing persons with due urgency and seriousness,

Noting that the Government of Cyprus is agreed that in view of the prevailing conditions in the island it is necessary to keep the United Nations peacekeeping force in Cyprus (UNFICYP) beyond 15 June 2004,

Welcoming the Secretary-General's intention to conduct a review, to be completed within three months, on UNFICYP's mandate, force levels and concept of operation, in view of the 24 April 2004 referenda and taking into account developments on the ground, and the views of the parties,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

1. *Reaffirms* all its relevant resolutions on Cyprus, in particular resolution 1251 (1999) of 29 June 1999 and subsequent resolutions;

2. *Decides* to extend the mandate of UNFICYP for a further period ending 15 December 2004 and to consider the recommendations of the Secretary-General in his review of UNFICYP and to act upon them within one month of receiving them;

3. *Urges* the Turkish Cypriot side and the Turkish forces to rescind without delay all remaining restrictions on UNFICYP, and calls on them to restore in Strovilia the military status quo which existed there prior to 30 June 2000;

4. *Requests* the Secretary-General to submit a report on the implementation of this resolution concurrent with the report provided for above;

5. *Decides* to remain seized of the matter.

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United Nations S/RES/1549 (2004)

Security Council

Distr.: General
17 June 2004

Resolution 1549 (2004)

Adopted by the Security Council at its 4991st meeting, on 17 June 2004

The Security Council,

Recalling its previous resolutions, in particular resolution 1521 (2003) of 22 December 2003 and resolution 1532 (2004) of 12 March 2004, on the situation in Liberia and West Africa,

Taking note of the report of the Secretary-General on Liberia dated 26 May 2004 (S/2004/428) and the report of the Panel of Experts on Liberia dated 1 June 2004 (S/2004/396), both submitted pursuant to resolution 1521 (2003),

Also taking note of the views expressed by the Chairman of the National Transitional Government of Liberia (NTGL) in the Security Council on 3 June 2004 appealing for the lifting of current sanctions on Liberia's timber and diamonds, and the request that Council experts visit Liberia within the next 90 days to assess the performance of the NTGL in fulfilling the conditions for the lifting of sanctions,

1. *Decides* to re-establish the Panel of Experts appointed pursuant to paragraph 22 of resolution 1521 (2003) for a further period to commence no later than 30 June until 21 December 2004 to undertake the following tasks:

(a) to conduct a follow-up assessment mission to Liberia and neighbouring States, in order to investigate and compile a report on the implementation, and any violations, particularly ongoing violations, of the measures referred to in paragraphs 2, 4, 6 and 10 of resolution 1521 (2003) including any violations involving rebel movements and neighbouring countries, and including any information relevant to designation by the Committee established pursuant to resolution 1521 (2003) (hereinafter, "the Committee") of the individuals described in paragraph 4 (a) of resolution 1521 (2003), and including the various sources of financing, such as from natural resources, for the illicit trade of arms;

(b) to assess the progress made towards the goals described in paragraphs 5, 7 and 11 of resolution 1521 (2003);

(c) to monitor the implementation and enforcement of the measures imposed by paragraph 1 of resolution 1532 (2004), particularly in Liberia and in neighbouring States, as well as in other regions, and to provide the Committee with any information the Panel acquires which will facilitate the identification of

individuals and entities of the types described in paragraph 1 of resolution 1532 (2004), and with recommendations on technical assistance Liberia and other States might require to implement the measures;

(d) to assess the socio-economic and humanitarian impact of the measures imposed by resolutions 1521 (2003) and 1532 (2004);

2. *Further requests* the Panel to provide a mid-term report to the Council for its review, through the Committee, no later than 30 September 2004 with its observations and recommendations, taking into consideration progress made towards the goals identified in resolution 1521 (2003), in particular paragraphs 7 and 11 of that resolution, and also requests that the Panel present a final report to the Council, through the Committee, no later than 10 December 2004, covering all the tasks assigned to it in paragraph 1 above;

3. *Requests* the Secretary-General, upon adoption of this resolution and acting in consultation with the Committee, to appoint by 30 June 2004 no more than five experts, with the range of expertise necessary to fulfil the Panel's mandate referred to above, drawing as much as possible and as appropriate on the expertise of the members of the Panel of Experts appointed pursuant to paragraph 22 of resolution 1521 (2003), and further requests the Secretary-General to make the necessary financial arrangements to support the work of the Panel;

4. *Encourages* the NTGL to take urgent steps to establish an effective Certificate of Origin regime for trade in Liberian rough diamonds that is transparent and internationally verifiable, and urges the NTGL to establish its full authority and control over the timber producing areas, and to take all necessary steps to ensure that government revenues from the Liberian timber industry are not used to fuel conflict or otherwise in violation of the Council's resolutions but are used for legitimate purposes for the benefit of the Liberian people, including development;

5. *Reiterates* its call upon States, relevant international organizations and others in a position to do so to offer assistance to the NTGL in achieving the objectives set forth in paragraphs 5, 7 and 11 of resolution 1521 (2003);

6. *Also reiterates* its previous appeals to the international community to provide timely and adequate assistance for Liberia's reconstruction and economic recovery and, in particular, to redeem the pledges made at the Liberia Reconstruction Conference held in New York on 5-6 February 2004;

7. *Urges* all States, relevant United Nations bodies and, as appropriate, other organizations and interested parties to cooperate fully with the Committee and Panel of Experts, including by supplying information on possible violations of the measures imposed by paragraphs 2, 4, 6 and 10 of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004);

8. *Decides* to remain actively seized of the matter.

United Nations S/RES/1550 (2004)

Security Council

Distr.: General
29 June 2004

Resolution 1550 (2004)

Adopted by the Security Council at its 4998th meeting, on 20 June 2004

The Security Council,

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force of 21 June 2004 (S/2004/499), and also reaffirming its resolution 1308 (2000) of 17 July 2000,

1. *Calls upon* the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

2. *Decides* to renew the mandate of the United Nations Disengagement Observer Force for a period of six months, that is, until 31 December 2004;

3. *Requests* the Secretary-General to submit, at the end of this period, a report on developments in the situation and the measures taken to implement resolution 338 (1973).

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